

UNITED STATES DISTRICT COURT

for the
District of Delaware

XPOINT TECHNOLOGIES, INC.,

Plaintiff

v.

MICROSOFT CORPORATION, et al.

Defendant

Civil Action No. 09-cv-00628(SLR)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Alacritech, Inc.
1995 N. First Street
San Jose, CA 95112

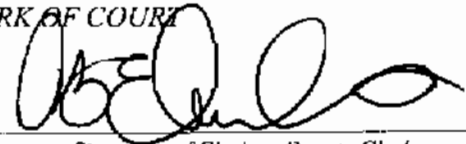
A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

David J. Margules, Esquire
Sean M. Brennecke, Esquire
BOUCHARD MARGULES & FRIEDLANDER, P.A.
222 Delaware Avenue, Suite 1400
Wilmington, DE 19801

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT



Signature of Clerk or Deputy Clerk

Date: 09/21/2009

RETURN OF SERVICE

UNITED STATES DISTRICT COURT District of Delaware

Case Number: 09-CV-00628 (SLR)

Plaintiff:

XPoint Technologies, Inc.

vs.

Defendant:

Microsoft Corporation, et al

For:

David J. Margules, Esq.

Bouchard, Margules & Friedlander

222 Delaware Ave, Ste 1400

Wilmington, DE 19801

Received by Brandywine Process Servers, LTD on the 21st day of September, 2009 at 2:23 pm to be served on
Alacritech, Inc., 1995 N First St., San Jose, CA 95112.

I, Timothy Bly, do hereby affirm that on the **22nd day of September, 2009 at 10:35 am, I:**

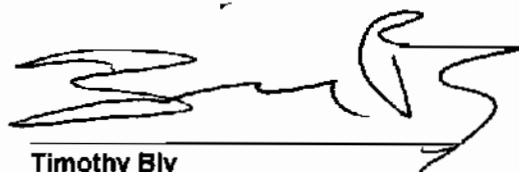
I served the within, **Summons in a Civil Action; Amended Complaint for Patent Infringement with Exhibit A,**
on the listed individual in said action by hand delivering true copies thereof to the following ;

Alacritech, Inc., 1995 N First St., San Jose, CA 95112,

by serving; **Grant Dean, Director, authorized to accept**

Description of Person Served: Age: 50+, Sex: M, Race/Skin Color: Caucasian, Height: 5'10", Weight: 160, Hair:
Gray, Glasses: N

Under penalty of perjury I certify that I am over the age of 18, have no interest in the above action, and am a
Registered Process Server, in good standing, in the State of California, County of Santa Clara.



Timothy Bly
1173

TIMOTHY N. BLY
SANTA CLARA COUNTY #1173

Brandywine Process Servers, LTD
2500 Delaware Ave.
Wilmington, DE 19806
(800) 952-2288

Our Job Serial Number: 2009008516

Service Fee: _____